

# EXHIBIT 60

(EXHIBIT FILED UNDER SEAL)

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

IN RE: DA VINCI SURGICAL )  
ROBOT ANTITRUST LITIGATION ) Lead Case No.  
 ) 3:21-cv-03825-VC  
 )  
THIS DOCUMENT RELATES TO ALL )  
CASES )  
 )  
 )  
 )  
 )  
SURGICAL INSTRUMENT SERVICE ) Case No.  
COMPANY, INC., ) 3:21-cv-03496-VC  
 )  
 )  
Plaintiff, )  
 )  
 )  
v. )  
 )  
 )  
INTUITIVE SURGICAL, INC., )  
Defendants. )  
 )

REMOTE VIDEO RECORDED DEPOSITION OF  
MICHAEL BURKE, M.D.

Tuesday, September 27, 2022

REPORTED BY: RENEE HARRIS, CSR, CCR, RPR  
JOB NO. 5490765  
PAGES: 1 - 146

1 [REDACTED]  
2 [REDACTED]  
3 [REDACTED]  
4 MR. BATEMAN: [REDACTED] 10:10:00  
5 [REDACTED]  
6 THE WITNESS: [REDACTED]  
7 [REDACTED] 10:10:17  
8 [REDACTED]  
9 [REDACTED]  
10 [REDACTED]  
11 BY MS. CAHOY:  
12 Q. [REDACTED]  
13 A. [REDACTED]  
14 [REDACTED]  
15 [REDACTED] 10:10:32  
16 Q. [REDACTED]  
17 [REDACTED]  
18 [REDACTED]  
19 A. [REDACTED] 10:10:47  
20 [REDACTED]  
21 [REDACTED]  
22 Q. [REDACTED]  
23 [REDACTED]  
24 [REDACTED]  
25 MR. BATEMAN: [REDACTED] 10:11:05

1 [REDACTED]  
2 MR. BATEMAN: [REDACTED] [REDACTED]  
3 [REDACTED]  
4 BY MS. CAHOY:  
5 Q. [REDACTED] 10:11:26  
6 A. [REDACTED]  
7 [REDACTED]  
8 [REDACTED]  
9 Q. [REDACTED]  
10 [REDACTED] 10:11:41  
11 [REDACTED]  
12 A. [REDACTED]  
13 Q. [REDACTED]  
14 [REDACTED]  
15 [REDACTED] 10:11:56  
16 A. [REDACTED]  
17 Q. [REDACTED]  
18 [REDACTED]  
19 A. [REDACTED]  
20 MS. CAHOY: All right. Let's mark Tab 27 10:12:33  
21 as Exhibit 52, please.  
22 MR. BATEMAN: 27?  
23 MS. CAHOY: 27, yes.  
24 (Exhibit 52 was received and marked  
25 for identification on this date and is 10:13:24

1 attached hereto.)

2 BY MS. CAHOY:

3 Q. All right. Dr. Burke, if you -- sorry.

4 If you refresh, Exhibit 52 should be there now in  
5 the platform.

10:13:36

6 So Exhibit 52 is the document that -- the  
7 hard-copy document that you have at Tab 27, and on  
8 the bottom it should say VMC-00002266.

9 Do you see that?

10 A. Yes.

10:13:51

11 Q. Do you recognize this document?

12 A. Having read it, yes.

13 Q. [REDACTED]

14 A. [REDACTED]

15 [REDACTED]

10:14:08

16 Q. [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 A. [REDACTED]

20 Q. [REDACTED]

10:14:29

21 [REDACTED]

22 [REDACTED]

23 A. [REDACTED]

24 Q. [REDACTED]

25 [REDACTED]

10:14:41